

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Land Acquisition – Srikakulam District – Widening of Visakhapatnam to Bhuvaneshwar Road (Old NH5) from 100/250 to 100/800 – Payment of ex-gratia to the house owners in Peddapadu Village whose structures are getting affected in the road widening – Guidelines – Issued.

REVENUE (LAND ACQUISITION) DEPARTMENT

G.O.MS.No. 450

Dated: 25-11-2015
Read the following:

- 1) G.O.Ms.No.610, Revenue (LA) Department, dated 31-05-2011.
- 2) From the District Collector, Srikakulam, Lr.No.234/VB Road/JTO-2/2011, dated 23-12-2011 addressed to TR & B Department.
- 3) From the District Collector, Srikakulam, Lr.No.944/2012/G2, dated 20-03-2012 addressed to TR & B Department.
- 4) From the Spl. CS & CCLA, AP, Hyderabad, Lr.No.G1/522/2012, dated 25-06-2012.
- 5) U.O.No.13893/R.V(1)/2011, dated 28-07-2012 of TR & B Department.

ORDER:-

The Collector, Srikakulam District in his letter 2nd read above has stated that Government have sanctioned the work of widening of road from Visakhapatnam to Bhuvaneshwar Road (Old NH5) from 100/250 to 100/800 in Srikakulam District, and the above work was held up due to objections from the adjoining building owners for payment of structural compensation for their buildings, and they are agitating for payment of the structural compensation as they are very poor and they have invested huge money in building up of the above structures and they have been living in the structures for decades together.

2. The District Collector, Srikakulam in his further 3rd read above has stated that Government in G.O.Ms.No.1307, Revenue (Assn.I) Department, dated 23-12-1993, orders were issued for payment of lump sum of ex-gratia equivalent to market value to the assignees whose lands are resumed for project and other public purpose and equivalent to valuation for other private orchards structures, wells, etc., Government have also issued instructions in G.O.Ms.No.243, Revenue (LA) Department, dated 27-3-2010 for payment of ex-gratia to various category of encroachers/enjoyers of the Government lands whose possession is confirmed. Accordingly, the compensation is being paid in the project affected areas, and requested the Government, for payment of structural compensation as ex-gratia to the Peddapadu buildings owners affected in road widening programme.

3. The Special CS & Chief Commissioner of Land Administration, in his letter 4th read above has informed that both the GOs of G.O.Ms.No.1307, dated 23-12-1993 and G.O.Ms.No.243, dated 27-3-2010, do not provide for payment of any kind of compensation for structures built on Government lands, and the structures constructed on the erstwhile NH5 road are mostly by way of RCC slabs, compound walls, stair case, etc., and demolition of these structures is not likely to affect the livelihood of the people, and therefore, compensation for these structures is not recommended.

4. The Transport, Roads & Buildings (R.V) Department vide reference 5th read above have expressed a view that the provisions of G.O.Ms.No.610, Revenue (LA) Department, dated 31-05-2011 is applicable to the structures falling in the land covered by the formation of 4/6 lining of NH-9 only.

... 2.

5. Government after careful examination of the proposal, hereby issue the following guidelines regarding payment of ex-gratia to the house owners in Peddapadu Village of Srikakulam District whose structures are getting affected in the widening of Visakhapatnam to Bhuvanewar Road (Old NH5) from 100/250 to 100/800, by treated it as an exception and not treating it as a precedent:-

- (1) The structures existing in un-objectionable Government lands under the enjoyment of land-less poor and who belong to BPL category, having less than 80 sq.yards, shall be paid ex-gratia equal to Market value of the structures without solatium or any other benefits covered under Acquisition Laws.
- (2) The structures existing in un-objectionable Government lands under the enjoyment of land-less poor and who belong to Below Poverty Line (BPL) category, having more than (80) Sq.yards and below 200 Sq. yards shall also be paid ex-gratia equal to 100% Market value of the structures without solatium or any other benefits covered under Acquisition Laws.
- (3) No ex-gratia shall be paid to the structures covered by more than 200 Sq.Yards.
- (4) Persons who have purchased Government land / assigned and erected structures will not be entitled for any ex-gratia.
- (5) 100% ex-gratia shall be paid to the structures that are owned by or in possession or in occupation of the encroachers, who belong to APL (Above Poverty Line) upto 200 Sq.yards. This may be confined to only (Old NH-5) and it may also be directed to make payments of ex-gratia from NHAI funds only.
- (6) The payment of ex-gratia / compensation to the structures to the eligible encroachers covered above shall be made after the personal inspection of the Joint Collector with complete record of inquiry in each case.
- (7) These guidelines are applicable only to the structures falling in the widening of Visakhapatnam to Bhuvanewar road (Old NH-5) in Peddapadu Village of Srikakulam District from 100/250 to 100/800 commenced by the National Highways Authority of India.

6. The Chief Commissioner of Land Administration, Andhra Pradesh, and the Collector, Srikakulam District shall take further necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C. SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad.
The Collector, Srikakulam District.
Copy to:
Transport, Roads & Buildings Department.
Finance (EBS-VIII) Department.
PS to Chief Secretary.
PS to Deputy Chief Minister (Revenue).
PS to Principal Secretary (Revenue).
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER